BUREAU OF PROFESSIONAL STANDARDS INTERNAL AFFAIRS DIVISION

19 January 2011 C.R.1035282

TO:

Commanding Officer

General Investigation Section Internal Affairs Division

FROM:

Police Officer Dennis J. Chengary #14580

General Investigation Section Internal Affairs Division

SUBJECT:

Approval of Complaint Log Investigation

1035282

The attached Complaint Log Investigation has been completed and is submitted

for your approval.

2 - Unique identifiers

P.O. Dennis J. CHENG (R)

APPROVED:

2 - Unique identifiers

Supervisir | Sergeant

General Investigation Section Internal Affairs Division

2 - Unique identifiers

Commanding Officer

General Investigation Section

Internal Affairs Division

SUMMARY REPORT DIGEST CHICAGO POLICE DEPARTMENT

LUG NU 1035282 TYPE

CR

DATE OF REPORT 19-JAN-2011

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME CHENGARY, DENNIS	9161	14580	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.F		S., ETC., PERTINE	NT OF THIS INVESTIG	SATION)	
INCIDENT ADDRESS: 66 1 S. KEATING AVE, CHICA			DATE / TIME 24-N		
INCIDENT ADDRESS: 26 W. WASHINGTON BLVD	, CHICAGO, IL 6	0612	DATE / TIME 24-N	MAR-2010 00:03	BEAT: 1331

ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNI1 DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWOH!
HUERTAS, CARLOS M	9161	19394	2 - Un	015	189	M/S	SEP-1974	27-JUL-1998	YES	YES
TROUTMAN, JEFFREY L	9161	18797		015	189	M / WHI	DEC-1980	28-OCT-2002	YES	YES
KARUNTZOS, GEORGE J	9171	851		189		M / WHI	AUG-1967	06-SEP-1994	YES	YES
BROWN III, GEORGE E	9161	11809		189		M / BLK	JUN-1968	02-JAN-1992	UNK	YES
ZINCHUK, JOHN M	9161	3893		015	189	M / WHI	SEP-1980	02-DEC-2002	YES	YES
RANDOLPH, MARVIN V	9161	9663		189		M / BLK	SEP-1973	10-MAY-1999	YES	YES
ECTOR, MELVIN L	9161	5083	9	021	189	M / BLK	JAN-1966	31-MAY-1994	YES	YES
CRISP, JERRY G	9161	12580		009	211	M / WHI	MAY-1974	29-SEP-2003	YES	YES
DAVIS, JAMES A	9161	13462	1 - Perso	002	211	M / BLK	AUG-1964	07-DEC-1987	YES	YES
MC DONOUGH, PATRICK	9161	14416	7 7 0700 (61)	189		M / WHI	JUN-1968	08-JUL-1996	YES	YES
O MALLEY, GERALD M	9161	1.187		189		M / WHI	OCT-1968	03-JAN-1995	YES	YES
CHMELAR, CHRIS F	9161	18896		009	211	M / WHI	MAY-1967	26-APR-2004	YES	YES
WEATHERSPOON, CARL M		4630		002	211	M / BLK	DEC-1963	25-JAN-1988	YES	YES
PACE, FELICIA L	9161	5223		007		F / BLK	JAN-1972	24-JAN-2000	YES	YES
KILROY JR, WILLIAM A	9173	280		189		M / WHI	FEB-1957	14-JUL-1986	YES	YES
MARTIN, SEAN M	9171	1662		004	189	M / WHI	JAN-1967	16-DEC-1991	YES	YES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
1 - Personal so 1 - Personal	1 - Personal info	CHICAGO, IL	1 - Personal info	F/WWH	DEC-1952 / 5
7 - P8(80)(8)(
ICTIMS					

WITNESSES				
NAME	ADDRESS*		LEPHONE SEX / RACE	
1 - Personal info	1 - Personal info	CHICAGO, IL 1-	Personal info M / WWH	2s OCT-1952 / 58
, r orconarino				

TIF OPD MEMBER, LIST RANK, STAR, FMPLOYEL NOS, IN ADDRESS, PAX/BULL IN TELEPHONE BOX.

SUMMARY REPORT DIGEST

CAGO POLICE DEPARTMENT

LOG NO 1035282 TYPE

CR

DATE OF REPORT

19-JAN-2011

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

ALLEGATIONS				
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	See Attached to	or Allegations		
1				1

	See Attached for Sumn	nary	
ATTAQUINENTO		-	
ATTACHMENTS		-	
VESTIGATIVE REPORTS - IPPORTING ALLEGATIONS LIST TACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	7,9,11,13,15,7,19,21,23,25,27,29,31	0	42
INDINGS - RECOMMEN	,33,35,37,39,40,41		
- Alexander	,33,35,37,39,40,41		
- Alexander	,33,35,37,39,40,41 DATIONS		
A District of the second of th	,33,35,37,39,40,41 DATIONS		
DATE INITIATED	DATE COMPLETED (Date of	Recommendations this report)	ELAPSED TIME plat time expressed in days)
INDINGS - RECOMMEN	DATE COMPLETED (Date of	Recommendations this report)	

Burcau of Professional Standards General Investigation Section Summary: Internal Affairs Division

CR # 1035282

ALLEGATIONS:

NOTE: Complaint Log "Type" is classified CR - sworn affidavit on file.

- 1. It is alleged that on 24 March 2010, approximately 0015 hours at 261. W. Washington Blvd. Chicago Illinois, the complainant 1-Personal info alleges the accused entered her place of business without a search warrant.
- 2. It is alleged that on 24 March 2010, approximately 0015 hours at 26 W. Washington Blvd. Chicago Illinois, the complainant 1-Per 1-Personal info alleges the accused, damaged the telephone lines, alarm system and a saw motor.
- 3. It is alleged that on 24 March 2010, approximately 0015 hours at 26 W. Washington Blvd. Chicago Illinois, the complainant 1. Personal info alleges the accused, failed to inventory or return \$7000.00 U.S.C.
- 4. It is alleged that on 24 March 2010, approximately 1230 hours at 66 L. S. Keating, Chicago Illinois, the complainant 1-Per 1-Personal info alleges the accused, entered her garage without justification or search warrant.
- 5. It is alleged that on 24 March 2010, approximately 1230 hours at 66 s. S. Keating, Chicago Illinois, the complainant 1-Personal info alleges the accused, entered her residence without justification or search warrant and removed guns and a metal box.
- 6. It is alleged that on 24 March 2010, approximately 1230 hours at 661... S. Keating, Chicago Illinois, the complainant 1-Pe 1-Personal info alleges the accused, searched two trucks, one belonged to 1-Personal info and the other belonged to 1-Personal info without justification or search warrant.
- 7. It is alleged that on 24 March 2010, approximately 1230 hours at 66 t. S. Keating, Chicago Illinois, the complainant the Personal information alleges the accused, damaged the inside of the Personal information.
- 8. It is alleged that on 24 March 2010, approximately 12 hours at 66¹. S. Keating, Chicago Illinois, the complainant 1-Personal info 1-Personal, alleges the accused, handcuffed 1-Personal info without justification.

Bureau of Professional Standards General Investigation Section Summary: Internal Affairs Division

CR # 1035282

INVESTIGATION:

On 14 April 2010, the undersigned was assigned C.L. # 1035282.(Attachment #1)

On 16 April 2010, a certified letter article number 7006 3450 0003 3980 6156 was sent to the complainant's residence of 1-Personal info Chicago IL. 6061. The certified letter was signed for by 1-Personal info on 19 April 2010 and a returned receipt was received back to the undersigned. (Attachment # 4)

On 11 May 2010, the complainant 1-Personal info. came in for her formal statement at which time the undersigned again explained the investigatory process to 1-Personal info and how a finding is determined. 1-Personal info signed a sworn affidavit. (Attachment # 3)

Allegation #1, 1-Personal into alleges that the accused officer's entered her place of business located at 262-. W. Washington Blvd without a search warrant. During her formal statement 1-Personal into was shown search warrant #1-Personal into which was for the address of 261. W. Washington Blvd. (Attachment #5)

Allegation #2, 1-Personal into alleges that the accused officer's damaged the alleged telephone line, alarm system and a saw motor. During her formal statement 1-Personal into did not bring any proof of the damage that was done at her place of business. During 1-Personal into 1-Personal into 1-Personal into 1-Personal into 2010, he stated that he was not at 261... W. Washington Blvd. and he also did not bring any proof of the alleged damage. (Attachment #6)

Allegation #3, 1-Personal Info alleges that the accused failed to inventory or return \$7000.00 U.S.C. that was at 261... W. Washington. During her formal statement was shown inventory # 11965873 which listed \$7362.00 U.S.C. was inventorized from 261... W. Washington Blvd.(Attachment #7)

Burcau of Professional Standards General Investigation Section Summary: Internal Affairs Division

CR # 1035282

INVESTIGATION:

Allegation #4 1-Personal into alleges that the accused entered her residential garage located at 1-Personal info without a search warrant, according to Sgt. MARTIN'S formal statement MARTIN stated that Mr. 1-Personal into gave him permission to search the garage.

Allegation #5 1-Personal into alleges that the accused officer's entered her residence without a search warrant and removed guns and a metal box. During Lt. KILROY Jr. and Sgt MARTIN statement's they stated that they were given permission (verbal consent) by Mr. 1-Personal into to enter his residence, according to Mr. 1-Personal into 'S statement he stated that he let the officer's inside his house because he was scared.

Allegation #6 1-Personel into alleges that the accused officer's searched two trucks that were at her residence without justification or a search warrant. During Lt. KILROY Jr. and Sgt MARTIN statement's they stated that they were given permission (verbal consent) by Mr. 1-Personal into to search the trucks.

Allegation #7 1-Personal info alleges that the accused officer's damaged the inside of truck. During Mr. 1-Personal info 'S formal statement he did not bring any proof of the alleged damage to the truck and he also stated that he did not see anyone search 1-Personal.... truck.

Allegation #8 1-Personal Info alleges that the accused officer's handcuffed 1-Personal in the alley at 661. S. Keating. According to all officer's that were on the scene of 66 in S. Keating, they all stated that due to the ongoing narcotic's investigation Mr. 1-Personal Info was handcuffed for officer safety.

It is important to note that only the following officers were present at 66 s. S. Keating:

Lt. KILROY #280; Sgt. MARTIN # 1662; P.O. ZINCHUK # 3893; P.O. O'MALLEY # 17187; P.O. RANDOLPH #9663; P.O. ECTOR #5083; P.O. CRISP # 12580; P.O. McDONOUGH #14416.

The following officer's were only at 26 W. Washington Blvd. P.O. HUERTAS # 19394; P.O. TROUTMAN #18797; Sgt. KARUNTZOS # 851; P.O. BROWN #11809; P.O. CHMELAR # 18896 and P.O. WEATHERSPOON # 4630.

The following officer's were not at either addresses but assisted in paperwork or other tasks P.O. DAVIS # 13462; P.O. PACE #5223.

Bureau of Professional Standards General Investigation Section Summary: Internal Affairs Division

CR # 1035282

INVESTIGATION:

Statements given by all law enforcement personnel that were at the address of 26 W. Washington Blvd. and at 66 S. Keating on 24 March 2010 all related that

- 1. A legal search warrant was executed for 26 W. Washington Blvd.
- 2. There was no damage to the alarm system, telephone wires or a saw motor nor did they see anyone damage this property located at 26 w. Washington Blvd.
- 3. There was in fact \$7362.00 U.S.C. recovered and inventoried from 26 W. Washington Blvd.
- 4. Permission was given by Mr. 1-Personal Into. to search his garage.
- 5. Permission was given by Mr. 1-Personal info to search his residence.
- 6. Permission was given by Mr. 1-Personal into to search two trucks at his residence, one belong to him the other one belonged to 1-Personal...
- 7. No proof of the alleged damage to Mrs. 1-Personal info 1-Personal info vehicle was brought by either Mrs. or Mr. 1-Personal info to show the damage. In the officer's statement no one seen any damage or did they see anyone damage the truck.
- 8. Mr. 1-Personal info was handcuffed in the alley at 661-S. Keating for officer's safety.

Based on the fact that there was a legal search warrant conducted at the complainant's business (Allegation #1). There was no proof brought in by Mr. or Mrs. 1-Personal info as requested of the alleged damage to property and Mr. 1-Personal info OWN statement that he did not see any damaged property (Allegation #2, 7). During Mrs. 1-Personal Info 'S formal statement she was made aware that money was indeed recovered and inventoried (Allegation #3). According to Lt. KILROY and Sgt. MARTIN they stated that Mr. 1-Personal info had given them permission (verbal consent) to search his garage, vehicles and residence (Allegation #4, 5, 6). During Mr. 1-Personal Info 'S formal interview along with his attorney. Mr. 1-Parsonal info stated that he gave police permission to search his house, garage and vehicles because he was scared. According to all police officer's statements that were on the scene at 661. S. Keating stated that they handcuffed Mr. 1-Personal into for officer safety. During Mr. 1-Personal into 'S formal interview along with his attorney did not dispute this. Based on all documents and information contained in this investigative file, there is no evidence to prove the allegations, however there is evidence to disprove the allegations lodged against members of the Chicago Police Department.

FINDINGS:

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Accused #1: P.O. Carlos M. HUERTAS # 19394; Unit 189
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Exonerated
Allegation #4: Unfounded
Allegation #5: Unfounded
Allegation #6: Unfounded
Allegation #7: Unfounded
Allegation #8: Unfounded
Accused #2: P.O. Jeffrey L. TROUTMAN #18797; Unit 189
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Exonerated
Allegation #4: Unfounded
Allegation #5: Unfounded
Allegation #6: Unfounded
Allegation #7: Unfounded
Allegation #8: Unfounded
Accused #3: Sgt. George J. KARUNTZOS # 851; Unit 189
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Exonerated
Allegation #4: Unfounded
Allegation #5: Unfounded
Allegation #6: Unfounded
Allegation #7: Unfounded
Allegation #8: Unfounded
             P.O. George E. BROWN III # 11809; Unit 189
Accused #4:
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Exonerated
Allegation #4: Unfounded
Allegation #5: Unfounded
Allegation #6: Unfounded
Allegation #7: Unfounded
Allegation #8: Unfounded
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Internal Affairs Division

Bureau of Professional Standards General Investigation Section Summary:

Allegation #8: Exonerated

CR # 1035282

FINDINGS:

Accused #5: P.O. John M. ZINCHUK # 3893; Unit 189 Allegation #1: Unfounded Allegation #2: Unfounded Allegation #3: Unfounded Allegation #4: Exonerated Allegation #5: Exonerated Allegation #6: Exonerated Allegation #7: Unfounded Allegation #8: Exonerated Accused #6: P.O. Marvin V. RANDOLPH # 9663; Unit 189 Allegation #1: Unfounded Allegation #2: Unfounded Allegation #3: Unfounded Allegation #4: Exonerated Allegation #5: Exonerated Allegation #6: Exonerated Allegation #7: Unfounded Allegation #8: Exonerated Accused #7: P.O. Melvin L. ECTOR # 5083; Unit 189 Allegation #1: Unfounded Allegation #2: Unfounded Allegation #3: Unfounded Allegation #4: Exonerated Allegation #5: Exonerated Allegation #6: Exonerated Allegation #7: Unfounded Allegation #8: Exonerated Accused #8: P.O. Jerry G. CRISP # 12580; Unit 211 Allegation #1: Unfounded Allegation #2: Unfounded Allegation #3: Unfounded Allegation #4: Exonerated Allegation #5: Exonerated Allegation #6: Exonerated Allegation #7: Unfounded

Internal Affairs Division

Bureau of Professional Standards General Investigation Section Summary:

CR # 1035282

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FINDINGS:

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Accused #9: P.O. James A. DAVIS # 13462; Unit 211
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Unfounded
Allegation #4: Unfounded
Allegation #5: Unfounded
Allegation #6: Unfounded
Allegation #7: Unfounded
Allegation #8: Unfounded
Accused #10: P.O. Patrick MC DONOUGH # 14416; Unit 189
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Unfounded
Allegation #4: Exonerated
Allegation #5: Exonerated
Allegation #6: Exonerated
Allegation #7: Unfounded
Allegation #8: Exonerated
Accused #11: P.O. Gerald M. OMALLEY # 17187; Unit 189
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Unfounded
Allegation #4: Exonerated
Allegation #5: Exonerated
Allegation #6: Exonerated
Allegation #7: Unfounded
Allegation #8: Exonerated
Accused #12: P.O. Chris F. CHMELAR # 18896; Unit 211
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Exonerated
Allegation #4: Unfounded
Allegation #5: Unfounded
Allegation #6: Unfounded
Allegation #7: Unfounded
Allegation #8: Unfounded
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Internal Affairs Division

Bureau of Professional Standards General Investigation Section Summary:

Allegation #8: Exonerated

CR # 1035282

FINDINGS:

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Accused #13: P.O. Carl M. WEATHERSPOON # 4630; Unit 211
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Exonerated
Allegation #4: Unfounded
Allegation #5: Unfounded
Allegation #6: Unfounded
Allegation #7: Unfounded
Allegation #8: Unfounded
Accused #14: P.O. Felicia L. PACE # 5223; District 007
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Unfounded
Allegation #4: Unfounded
Allegation #5: Unfounded
Allegation #6: Unfounded
Allegation #7: Unfounded
Allegation #8: Unfounded
Accused #15: Lt. William A. KILROY JR. # 280; Unit 189
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Unfounded
Allegation #4: Exonerated
Allegation #5: Exonerated
Allegation #6: Exonerated
Allegation #7: Unfounded
Allegation #8: Exonerated
Accused #16: Sgt. Sean M. MARTIN # 1662; Unit 189
Allegation #1: Unfounded
Allegation #2: Unfounded
Allegation #3: Unfounded
Allegation #4: Exonerated
Allegation #5: Exonerated
Allegation #6: Exonerated
Allegation #7: Unfounded
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RECOMMENDATION:

None, there is no disciplinary action warrant; case to be filed

Attachments

No.	Туре	No. of Pages	Harretive
1 2	FACE SHEET CONFLICT CERTIFICATION		
3	SWORN AFFIDAVIT FROM COMPLAINANT	1	G. Jill J. Litan Jahruna d signed
4	ATTEMPT TO CONTACT	1	Certified letter returned signed receipt
5	SEARCH WARRANT	1	
6	INTERVIEW - VICTIM	6	
7	INVENTORY SHEET	2	
8	ACCUSED NOTIFICATION OF ALLEGATIONS FOR HUERTAS, CARLOS		
9	STATEMENT OF POLICE OFFICER	2	P.O.HÜERTAS
10	ACCUSED NOTIFICATION OF ALLEGATIONS FOR TROUTMAN, JEFFREY		
11	STATEMENT OF POLICE OFFICER	2	P.O.TROUTMAN
12	ACCUSED NOTIFICATION OF ALLEGATIONS FOR KARUNTZOS, GEORGE		
13	STATEMENT OF POLICE OFFICER	2	SGT.KARUNTZOS
14	ACCUSED NOTIFICATION OF ALLEGATIONS FOR BROWN III, GEORGE		
15	STATEMENT OF POLICE OFFICER	2	P.O.BROWN III
16	ACCUSED NOTIFICATION OF ALLEGATIONS FOR ZINCHUK, JOHN		
17	STATEMENT OF POLICE OFFICER	6	P.O.ZINCHUK
18	ACCUSED NOTIFICATION OF ALLEGATIONS FOR HANDOLPH, MARVIN		
19	STATEMENT OF POLICE OFFICER	2	P,O.RANDOLPH
20	ACCUSED NOTIFICATION OF ALLEGATIONS FOR ECTOR, MELVIN		
21	STATEMENT OF POLICE OFFICER	2	P.O.ECTOR
22	ACCUSED NOTIFICATION OF ALLEGATIONS FOR CRISP, JERRY		
23	STATEMENT OF POLICE OFFICER	1	P.O.CRISP
24	ACCUSED NOTIFICATION OF ALLEGATIONS FOR DAVIS, JAMES		
25	STATEMENT OF POLICE OFFICER	1	P.O.DAVIS
26	ACCUSED NOTIFICATION OF ALLEGATIONS FOR MC DONOUGH, PATRICK		
27	STATEMENT OF POLICE OFFICER	2	P.O.MCDONOUGH
28	ACCUSED NOTIFICATION OF ALLEGATIONS FOR O MALLEY, GERALD		
29	STATEMENT OF POLICE OFFICER	5	P.O.OMALLEY
30	ACCUSED NOTIFICATION OF ALLEGATIONS FOR CHMELAR, CHRIS		T 0 0111151 A D
31	STATEMENT OF POLICE OFFICER	2	P.O.CHMELAR
32	ACCUSED NOTIFICATION OF ALLEGATIONS FOR WEATHERSPOON, CARL		
33	STATEMENT OF POLICE OFFICER	1	P.O.WEATHERSPOON

34	ACCUSED NOTIFICATION OF ALLEGATIONS FOR PACE, FELICIA		
35	STATEMENT OF POLICE OFFICER	2	P.O.PAGE
36	ACCUSED NOTIFICATION OF ALLEGATIONS FOR KILROY JR, WILLIAM		
37	STATEMENT OF POLICE OFFICER	6	LT.KILBOY
38	ACCUSED NOTIFICATION OF ALLEGATIONS FOR MAINTIN, SEAN		
391	STATEMENT OF POLICE OFFICER	6	SGT.MARTIN
	INTERVIEW - WITNESS	6	1 - Personal info 1 - Personal
4.1	DEPARTMENT DIRECTIVE OF GENERAL OHDER	5	D.S.O. 07-06-01
42	ARREST REPORT	3	1 - Personal

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